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Item 2(a) of the provisional agenda

ANNOTATIONS TO THE PROVISIONAL AGENDA

Note by the Executive Secretary

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I. ANNOTATIONS TO THE PROVISIONAL AGENDA

1. Opening of the session

1. The eleventh session of the Subsidiary Body for Implementation (SBI) is scheduled to be opened by the Chairman at 3 p.m. on Monday, 25 October 1999.

2. Organizational matters

(a) Adoption of the agenda

2. The provisional agenda for the eleventh session of the SBI will be presented for adoption. It may need to be adjusted on the basis of action taken by the Conference of the Parties (COP) at the first meeting of its fifth session.

(b) Organization of the work of the session

(i) General approach to the session

3. The SBI will meet from the afternoon of Monday, 25 October, until early in the following week. Upon completion of the work of the SBI, the Chairman will report to the Conference of the Parties on results achieved and on any outstanding issues. The subsidiary bodies will draft decisions and conclusions by Monday, 1 November and Wednesday, 3 November to be recommended to the COP for consideration and adoption thereafter.

(ii) Schedule

4. Following consultations with the Chairmen of the subsidiary bodies, a tentative schedule of meetings has been included in document FCCC/CP/1999/1.

5. The SBI may aim to complete its work on items allocated to it separately by Monday, 1 November. Items 3, 4, 5, 6 and 7 will be taken up initially in a joint meeting of the subsidiary bodies, scheduled for the morning of Tuesday, 26 October. The subsidiary bodies should aim to complete their work on these items by Wednesday, 3 November.

6. The scheduling of meetings for the session will be based on the availability of facilities during normal working hours. To facilitate the work of Parties, provision has been made for the holding of two simultaneous meetings, with full interpretation, from 10 a.m. to 1 p.m., and from 3 p.m. to 6 p.m., during the entire period when the subsidiary bodies are meeting, including Saturday, 30 October. It is anticipated that either formal or informal meetings will be held every evening, from 7 p.m. to 10 p.m. There will also be some facilities for informal meetings without interpretation. Delegations are urged to use these facilities fully by attending all meetings promptly at the scheduled time.

(c) Election of officers

7. The Chairman of the SBI will be elected by the Conference of the Parties during the first meeting of its fifth session, on the morning of Monday 25 October. Pursuant to Rule 27 of the draft rules of procedure being applied,[1] each subsidiary body shall elect its own Vice-Chairman and Rapporteur. The Chairman of the SBI, following consultations with the regional groups, will propose nominations for these two positions and seek the confirmation of the SBI. Early agreement on these nominations will enable the SBI to commence its substantive work in an efficient manner.

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[1] FCCC/CP/1996/2.

3. Implementation of Article 4, paragraphs 8 and 9, of the Convention (decision 3/CP.3[2] and Article 2, paragraph 3, and Article 3, paragraph 14 of the Kyoto Protocol)

8. **Background:** By its decision 5/CP.4,[3] the Conference of the Parties requested the SBI and the Subsidiary Body for Scientific and Technological Advice (SBSTA) to continue consideration of the implementation of Article 4.8 and 4.9 of the Convention at their tenth and eleventh sessions, and to report thereon to the Conference of the Parties at its fifth session. The COP also decided to implement the programme of work set out in the annex to that decision, which included the organization of an expert workshop. This workshop is scheduled to be held in Bonn from 21 to 24 September 1999, in accordance with the terms of reference for the workshop adopted by the SBSTA at its tenth session (FCCC/SBSTA/1999/6, annex I).

9. **Action:** The SBI and the SBSTA will have before them the conclusions of the workshop (FCCC/SB/1999/9). In accordance with the above-mentioned programme of work, the subsidiary bodies are to consider the outcome of the workshop and prepare a report, including conclusions and/or a draft decision for consideration by COP 5, to assist the COP in identifying initial actions to be taken in implementing Article 4.8 and 4.9 of the Convention, as well as Articles 2.3 and 3.14 of the Kyoto Protocol.

4. Procedures and mechanisms relating to compliance under the Kyoto Protocol

10. **Background:** The joint working group on compliance (JWG) was convened during the tenth sessions of the subsidiary bodies, at which time it adopted its work programme contained in document FCCC/SBI/1999/8, annex II. The JWG agreed that the work programme would include an opportunity, in October 1999, for an informal exchange of views and information on compliance. The co-Chairs of the JWG will provide the SBI and the SBSTA with an informal report on this event, which is scheduled to take place in Vienna, Austria, on 6 and 7 October.

11. Under its work programme, the JWG invited Parties to provide submissions to the secretariat in response to questions related to a compliance system under the Kyoto Protocol. Submissions received from Parties are contained in document FCCC/SB/1999/MISC.12. The JWG also requested the co-Chairs, supported by the secretariat, to produce a synthesis of all proposals by Parties and to include elements related to a compliance system under the Kyoto Protocol. The JWG will have before it document FCCC/SB/1999/7 and Add.1 containing elements of a compliance system and a synthesis of proposals by Parties.

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[2] For the full texts of decisions adopted by the Conference of the Parties at its third session, see document FCCC/CP/1997/7/Add.1.

[3] For the full texts of decisions adopted by the Conference of the Parties at its fourth session, see document FCCC/CP/1998/16/Add.1.

12. **Action:** The JWG may wish to review the proposals and information contained in the above-mentioned documents, with a view to developing further the elements of a comprehensive compliance system under the Kyoto Protocol. The JWG, in accordance with decision 8/CP.4, is to report on the progress made in its work, through the SBI and the SBSTA, to COP 5. The COP may wish to consider the establishment of an ad hoc working group.

5. Activities implemented jointly under the pilot phase

13. **Background:** The COP, by its decision 5/CP.1,[4] established the pilot phase of activities implemented jointly (AIJ) and called for a conclusive decision to be taken on the pilot phase, and the progression beyond that, no later than the end of the present decade. In response to decision 6/CP.4, which reiterated decision 5/CP.1 and also referred to decision 7/CP.4 on the work programme on the mechanisms of the Kyoto Protocol, the subsidiary bodies, at their tenth sessions, agreed to undertake a comprehensive review of the AIJ pilot phase at their eleventh sessions, with a view to preparing a recommendation to COP 5 on further steps (FCCC/SBSTA/1999/6, para. 89 (g)).

14. The comprehensive review would cover the list of issues referred to in paragraph 89 (c)(i)-(x) of the above document. The subsidiary bodies had requested that the secretariat prepare a report reflecting submissions from Parties on that list of issues in the context of the reporting framework for the AIJ pilot phase. Parties were invited to submit views by 7 July 1999 (FCCC/SBSTA/1999/6, para. 89 (d)-(e)).

15. Document FCCC/SB/1999/5 on the AIJ pilot phase has, therefore, two main parts and an addendum: part one contains a report on issues to be addressed in a comprehensive review of the AIJ pilot phase; part two is the (annual) third synthesis report on the AIJ pilot phase, called for in decision 5/CP.1, which will assist the COP in reviewing the progress of the pilot phase; and the addendum contains tables on all AIJ projects and a draft revised uniform reporting format based on inputs by Parties to the secretariat on their experience in using the uniform reporting format adopted in decision 10/CP.3.

16. **Action:** The SBI and SBSTA may wish to take note of document FCCC/SB/1999/5. The SBI and SBSTA may also wish to consider the revised uniform reporting format contained in the addendum to that document and prepare a recommendation to COP 5 on possible further steps, with a view to taking a conclusive decision on the AIJ pilot phase and beyond, before the end of the present decade.

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[4] For the full texts of decisions adopted by the Conference of the Parties at its first session, see document FCCC/CP/1995/7/Add.1

6. Mechanisms pursuant to Articles 6, 12 and 17 of the Kyoto Protocol

17. **Background:** By its decision 7/CP.4, the COP agreed on a work programme on the mechanisms under Articles 6, 12 and 17 of the Kyoto Protocol, including the list of elements annexed to that decision, to be undertaken with priority given to the clean development mechanism, and with a view to taking decisions on all the mechanisms at its sixth session. It invited Parties to submit proposals on principles, modalities, rules and guidelines for the mechanisms (subsequently compiled as document FCCC/SB/1999/INF.2 and addenda) and requested the secretariat to prepare a plan for facilitating capacity-building on the mechanisms to be considered by the subsidiary bodies at their tenth sessions.

18. In taking note of this synthesis of proposals by Parties, the subsidiary bodies, at their tenth sessions, requested the Chairmen to prepare, with the assistance of the secretariat, a revised and consolidated synthesis of proposals, identified by sources, for consideration at their eleventh sessions (FCCC/SBSTA/1999/6, para. 94 (d)). This second synthesis of proposals, which takes into account decision 7/CP.4, views expressed by Parties at the tenth sessions of the subsidiary bodies, and further submissions by Parties received by 31 July 1999 (document FCCC/SB/1999/MISC.10 and Add.1), is contained in document FCCC/SB/1999/8.

19. This revised and consolidated synthesis of proposals by Parties is in four parts: part one contains the definitions and abbreviations used throughout the document; and parts two, three and four contain the proposals by Parties on (i) the nature and scope, (ii) the methodological and operational issues, and (iii) the institutional issues pertaining to Articles 6, 12 and 17. For matters of a technical nature which require further inputs by Parties, the structure foresees the inclusion of appendices on each of the mechanisms, as appropriate.

20. The SBI and the SBSTA, at their tenth sessions, also took note of an initial framework for the plan for facilitating capacity-building under decision 7/CP.4 and requested the secretariat to prepare a plan for facilitating capacity-building related to the mechanisms (FCCC/SBSTA/1999/6, para. 94 (a) and (e)). The plan (FCCC/SB/1999/6), and further steps, will be considered under provisional agenda item 7, Capacity-building.

21. **Action:** The SBI and the SBSTA may wish to consider the revised and consolidated synthesis of proposals in document FCCC/SB/1999/8 and the submissions by Parties in the miscellaneous documents FCCC/SB/1999/MISC.10 and Add.1. The synthesis document contains a proposal on possible action by the SBI and the SBSTA, including action on a draft negotiating text on the principles, modalities, rules and guidelines for the mechanisms, to be prepared by the Chairmen for consideration at the twelfth sessions of the subsidiary bodies; on further proposals by Parties, in particular on issues related to the appendices included in the synthesis document for each mechanism; and on a workshop on mechanisms to be held in March/April 2000. The SBI and the SBSTA are invited to provide further guidance to the Chairmen on how to proceed with the work programme on mechanisms under decision 7/CP.4, with a view to decisions being taken at the sixth session of the COP, including, where

appropriate, recommendations to the first session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol. The SBI and the SBSTA are to report to the COP, as appropriate, on the outcome of their deliberations.

7. Capacity-building

22. **Background:** The issue of capacity-building touches on a range of needs and activities related to the implementation of the Convention and the Kyoto Protocol. A number of decisions by the Conference of the Parties at its fourth session contain guidance on the issue.[5]

23. A proposal by the Group of 77 and China for a draft decision on capacity-building for developing countries is contained in document FCCC/SB/1999/MISC.9. A plan for facilitating capacity-building related to the Kyoto Protocol mechanisms is contained in document FCCC/SB/1999/6. This plan, requested by the subsidiary bodies at their tenth sessions (see paragraph 20 above) was prepared by the secretariat based on views expressed by Parties. Submissions by Parties on this matter received by 31 July 1999 are contained in document FCCC/SB/1999/MISC.11.

24. Additional information on capacity-building relating to the global climate observing systems, the development and transfer of technologies, the preparation of national communications, as well as the activities of the Global Environment Facility is contained in documents FCCC/SBSTA/1999/10, FCCC/SBSTA/1999/11, FCCC/SBI/1999/INF.7 and FCCC/CP/1999/3, respectively.

25. A revised version of the inter-agency capacity-building project proposal for the Clean Development Mechanism is contained in document FCCC/SBSTA/1999/INF.8. It is being made available to Parties for their information following a request by the SBSTA at its tenth session. The revised version builds on the views of Parties on capacity-building, as reflected in document FCCC/SB/1999/6.

26. **Action:** Parties may wish to consider the contents of the above-mentioned documents and come prepared with views on how the issue of capacity-building under the Convention and the Kyoto Protocol might best be addressed in an integrated manner, bearing in mind its different substantive elements. The SBI and the SBSTA may wish to recommend to the COP the adoption of a draft decision on capacity-building.

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[5] Decisions by the Conference of the Parties containing elements related to the issue of capacity-building include: 2/CP.4, Additional guidance to the operating entity of the financial mechanism; 4/CP.4, Development and transfer of technologies; 5/CP.4, Implementation of Articles 4.8 and 4.9 of the Convention (decision 3/CP.3 and Articles 2.3 and 3.14 of the Kyoto Protocol); 6/CP.4, Activities implemented jointly under the pilot phase; 7/CP.4, Work programme on mechanisms of the Kyoto Protocol; 12/CP.4, Initial national communications from Parties not included in Annex I to the Convention; and 14/CP.4, Research and systematic observation.

8. National communications from Parties included in Annex I to the Convention:[6]

(a) Greenhouse gas inventory data, 1990-1997

27. **Background:** The SBI, at its tenth session, considered document FCCC/SBI/1999/5, containing inventory data submitted by Annex I Parties for 1990 to 1996. It noted that as of June 1999 only 16 Annex I Parties had submitted their national greenhouse gas (GHG) inventories, which were due by 15 April 1999 FCCC/SBI/1999/8, para. 17 (b)). Since June a number of additional submissions have been made, some of them containing inventory data for 1997. The latest available GHG data for 1990-1997 has been compiled by the secretariat in document FCCC/SBI/1999/12.

28. Also, at its tenth session, the SBI invited Parties experiencing difficulties with submitting GHG inventories in a timely manner to provide a submission to the secretariat by 1 August 1999 describing the nature of these difficulties. The compilation of these submissions is contained in document FCCC/SBI/1999/MISC.6.

29. **Action:** The SBI may wish to take note of the set of latest available GHG data for 1990-1997 contained in document FCCC/SBI/1999/12, and of the fact that the GHG data are now available in a simplified searchable format on the web site of the secretariat. The SBI may also wish to take note of the views expressed by Parties in their submissions and consider ways of resolving problems indicated in document FCCC/SBI/1999/MISC.6, and report as appropriate to the COP.

(b) Guidelines for the technical reviews of greenhouse gas inventories

30. **Background:** The SBI, at its tenth session, requested the secretariat to prepare draft guidelines for the technical review of GHG inventories on the basis of document FCCC/SBSTA/1999/3, as well as a work plan for the technical review process, including operational arrangements, for the period 2000-2002, for consideration at its eleventh session. The SBI, at its tenth session, also agreed on the preliminary elements of a draft COP 5 decision relating to the technical review process (FCCC/SBI/1999/8, para. 28). It invited Parties to submit their views on the draft guidelines by 1 October 1999.

31. In response to these requests, the secretariat has prepared draft guidelines for the technical review of GHG inventories (FCCC/SBI/1999/13). The views of Parties on the draft guidelines are compiled in document FCCC/SBI/1999/MISC.7.

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[6] See also item 8 of the provisional agenda for the Subsidiary Body for Scientific and Technological Advice Agenda at its eleventh session.

32. **Action:** The SBI may wish to consider the draft guidelines for the technical review of GHG inventories, taking into account Parties' views, with the aim of submitting the guidelines for adoption by the COP at its fifth session. (Refer also to SBSTA item 8 (a).)

(c) Matters referred by the Subsidiary Body for Scientific and Technological Advice

33. **Background:** In accordance with the conclusions of the SBSTA at its tenth session (FCCC/SBSTA/1999/6, para. 27(h)), the SBSTA will forward its conclusions on revisions to part II of the guidelines for the preparation of national communications by Parties included in Annex I to the Convention to the SBI for consideration at its eleventh session, with the aim of submitting these revisions for adoption by the COP at its fifth session.

9. National communications from Parties not included in Annex I to the Convention

(a) Matters related to the consideration of non-Annex I Party communications

- First compilation and synthesis of initial national communications from Parties not included in Annex I to the Convention

34. **Background:** The COP, by its decision 12/CP.4, requested the secretariat to prepare a compilation and synthesis of initial communications from non-Annex I Parties, based on communications received from Parties by 1 June 1999, and to make that report available to the subsidiary bodies at their eleventh sessions, and to the Conference of the Parties at its fifth session. It also requested the secretariat to report on the problems encountered in the use of the guidelines for the preparation of initial communications by non-Annex I Parties, and on other issues communicated by non-Annex I Parties, with a view to further enhancing the comparability and focus of the communications. The first such compilation and synthesis of initial national communications is contained in document FCCC/SBI/1999/11. This document includes also a section on problems encountered by the non-Annex I Parties in the preparation of the inventory of greenhouse gases.

35. **Action:** The SBI may wish to consider the compilation and synthesis of 11 initial national communications by non-Annex I Parties and to forward conclusions and/or recommendations to COP 5.

- Other matters related to the consideration of communications

36. **Background:** The COP, by its decision 12/CP.4, decided to continue to address the consideration of communications from non-Annex I Parties at its fifth session, with a view to taking a further decision. It requested the Parties to submit their views to the secretariat on matters related to the consideration of non-Annex I Party communications and the timing of non-Annex I Party second national communications, for consideration by the SBI at its tenth session (FCCC/SBI/1999/MISC.1).

37. The SBI, at its tenth session, after taking note of the draft decisions proposed by the Group of 77 and China and the European Community and its member States (FCCC/SBI/1999/MISC.3) and of views expressed by Parties, invited Parties to submit to the secretariat further views and comments on the consideration of non-Annex I Party national communications and the timing of second national communications (FCCC/SBI/1999/8, Para. 33-40). These are contained in document FCCC/SBI/1999/MISC.4.

38. The SBI decided to continue its consideration of these matters at its eleventh session, through the informal contact group, with a view to recommending a draft decision for adoption by the COP at its fifth session. The SBI agreed that the co-Chairs of the informal contact group would prepare a document providing a framework based on elements contained in the above-mentioned draft decisions. This framework, contained in document FCCC/SBI/1999/MISC.8, will be made available to the SBI, at its eleventh session.

39. **Action:** The results of the work of the SBI on these issues will need to be considered in the context of item 12 (a) of the provisional agenda and finalization of the programme budget for the biennium 2000-2001 (see para. 55 below). The SBI may wish to continue its discussions on these matters with a view to recommending a draft decision for adoption by COP 5.

(b) Provision of financial and technical support

40. **Background:** By decisions 10/CP.2[7] and 12/CP.4, the COP requested the secretariat to facilitate assistance to Parties not included in Annex I to the Convention in the preparation of their initial national communications; to submit details of the financial support made available by the GEF to these Parties for the preparation of their initial national communications; and to compile and make available to Parties, a list of projects submitted by non-Annex I Parties in accordance with Article 12.4 of the Convention. Reports covering these requests are contained in documents FCCC/SBI/1999/INF.7, FCCC/SBI/1999/INF.8 and FCCC/SBI/1999/INF4/Add.1.

41. The COP, by its decision 10/CP.2, further requested the secretariat to facilitate assistance to non-Annex I Parties through the organization of workshops at the regional level and to provide a forum for the exchange of experience in the development of emission factors and activity data for the estimation of GHG inventories. In its continuing response to this mandate, the secretariat convened the second workshop on emission factors and activity data in Accra, Ghana, from 4 to 6 August 1999. The report of this workshop is contained in document FCCC/SBI/1999/INF.6. A technical paper "Comparative analysis of emission factors and activity data used in the estimation of GHG emissions in land-use change and forestry and energy sectors by some developing countries" (FCCC/TP/1999/3), will also be available to the SBI at its eleventh session. Concept notes for project proposals to address problems relating to activity data and emission factors have been annexed to the report of the workshop.

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[7] For the full texts of decisions adopted by the Conference of the Parties at its second session, see document FCCC/CP/1996/15/Add.1.

In addition, the secretariat will organize a special event during the eleventh session of the SBI to provide a forum for the exchange of experiences.

42. **Action:** The SBI may wish to take note of the information contained in the above mentioned documents and to provide any guidance it deems necessary. The SBI may also wish to provide any further guidance regarding the work to be undertaken by the secretariat on facilitating assistance to non-Annex I Parties in the preparation of their national communications. The SBI may wish to recommend to the COP the adoption of draft decisions on these issues.

10. Financial mechanism

(a) Report of the Global Environment Facility to the Conference of the Parties

43. **Background:** The Memorandum of Understanding between the COP and the Council of the GEF, annexed to decision 12/CP.2, provides, *inter alia*, that the GEF will make available annual reports which should include specific information on how it has applied the guidance and decisions of the COP in its work related to the Convention. In addition, the SBI, at its tenth session, invited the GEF to include in this report information on any progress made or results obtained from the GEF review of enabling activities as well as on how the views and concerns expressed by Parties will be taken into account by the GEF in that review (FCCC/SBI/1999/8, para. 35 (a)). The report of the GEF is contained in document FCCC/CP/1999/3.

44. **Action:** The SBI may wish to take note of this report and make relevant conclusions, or recommend a draft decision on the financial mechanism for consideration by the COP at its fifth session. The SBI may also wish to take account of deliberations under other agenda items that could be relevant to such conclusions on draft decisions.

(b) Input from Parties to the review by the Global Environment Facility of enabling activities

45. **Background:** By its decision 12/CP.4, the COP requested the secretariat to compile and make available to the SBI a report containing views and concerns identified by non-Annex I Parties, and to ensure that such views are taken into account in the GEF review of enabling activities on climate change. The SBI agreed at its tenth session that the report prepared by the secretariat should contain views submitted by Parties with regard to the GEF review of enabling activities, statements made by Parties during the discussion of this agenda item at the tenth session, information included in the initial national communications from non-Annex I Parties, further views to be submitted by Parties, and any other guidance the Parties may give to the secretariat, as well as all relevant decisions of the COP (FCCC/SBI/1999/8, para. 35 (a)). In response to this request, the secretariat has prepared a report contained in document FCCC/SBI/1999/INF.10. Further views submitted by Parties are contained in document FCCC/SBI/1999/MISC.5.

46. **Action:** The SBI may wish to consider the information provided in the above-mentioned documents with a view to giving further guidance on the matter.

11. Arrangements for intergovernmental meetings

(a) Improving the intergovernmental process

47. **Background:** In an effort to make the Convention process more efficient and effective, the Executive Secretary put forward a number of proposals for consideration by the SBI at its tenth session (FCCC/SBI/1999/2, section II). The topics flagged for consideration and advice by the SBI were as follows:

(a) The growing scale and costs of COP sessions and the implications for host Parties;

(b) The need to ensure adequate technical inputs from government experts, the secretariat and its partners, and the use of technical workshops as a device to this end;

(c) The volume and timing of documentation and the costs of translation;

(d) The transparency of consultative processes used to obtain final outcomes of COP sessions; and

(e) Possible technical improvements in the process of drafting such outcomes.

48. The SBI took note of the proposals by the Executive Secretary to improve the intergovernmental process, including those relating to the issue of transparency, and decided to take up the matter again at its eleventh session (FCCC/SBI/1999/8, para. 63).

49. **Action:** The SBI is invited to continue discussion of the issues raised in document FCCC/SBI/1999/2 with a view to providing guidance on improving the intergovernmental process.

(b) Date and venue of the sixth session of the Conference of the Parties

50. **Background:** At its tenth session, the SBI welcomed the generous offer by the Kingdom of the Netherlands to host COP 6 from 13 to 24 November 2000 or during the spring of 2001 and decided to recommend to COP 5 that it accept the offer (FCCC/SBI/1999/8, para. 65).

51. **Action:** The SBI was unable to reach a consensus on the dates for COP 6 and is therefore invited to reconsider the matter and make the necessary recommendation to COP 5 for adoption.

(c) Calendar of meetings of Convention bodies, 2000-2003

52. **Background:** To enable the booking of facilities and services in advance, as well as to assist Parties and the secretariat in their planning, a decision on the calendar of meetings for the years 2001-2003 needs to be taken by COP 5. A preliminary recommendation was made by the SBI at its tenth session as follows (FCCC/SBI/1999/8, para. 66 (b)):

(i)	First sessional period in 2001:	21 May to 1 June 2001;[8]
(ii)	Second sessional period in 2001:	29 October to 9 November 2001;[9]
(iii)	First sessional period in 2002:	3 to 14 June 2002;
(iv)	Second sessional period in 2002:	28 October to 8 November 2002;
(v)	First sessional period in 2003:	2 to 13 June 2003;
(vi)	Second sessional period in 2003:	1 to 12 December 2003.

53. **Action:** The SBI may wish to recommend to COP 5 the adoption of the above calendar of meetings, bearing in mind the consequences of discussions under item 11 (b) of the provisional agenda on the date of COP 6.

12. Administrative and financial matters

(a) Programme budget for the biennium 2000-2001

54. **Background:** The financial procedures of the Convention require the COP to consider and adopt a budget by consensus prior to the financial period it covers (decision 15/CP.1).[10] To ensure this would be feasible, the COP at its fourth session requested the Executive Secretary to submit a proposed programme budget for the biennium 2000-2001 for consideration by the SBI at its tenth session (decision 17/CP.4). The Executive Secretary responded to this request by proposing the programme budget contained in document FCCC/SBI/1999/4 and the programme of work contained in document FCCC/SBI/1999/4/Add.1.

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[8] Pending a decision by COP 5 on the second sessional period in 2000.

[9] See footnote 8.

[10] For the full texts of decisions adopted by the Conference of the Parties at its first session, see document FCCC/CP/1995/7/Add.1.

After considering these proposals, the SBI decided to recommend for adoption by COP 5 a draft decision on the budget contained in annex I to its report (FCCC/SBI/1999/8), specifying that this draft decision would require finalization at COP 5 with respect to the contingency relating to the consideration of national communications from non-Annex I Parties (FCCC/SBI/1999/8, para. 70 (a)).[11]

55. In light of this draft decision, the Executive Secretary has prepared the revised programme of work for the coming biennium contained in document FCCC/CP/1999/INF.1. This document also contains comparative data for the current and coming bienniums, a revised organigramme, and details concerning possible activities to be covered through supplementary funding.

56. **Action:** The SBI may wish to consider the outstanding contingency item, and finalize the draft decision agreed upon during its tenth session for submission to COP 5. It may also wish to take note in its conclusions of the work programme and other information contained in document FCCC/CP/1999/INF.1.

(b) Income and budget performance in the biennium 1998-1999

57. **Background:** As required by the draft rules of procedure, the SBI will have before it a document on administrative and financial matters (FCCC/SBI/1999/10). The document reflects an update of income and expenditures under each of the four UNFCCC trust funds as of 30 June 1999. It includes information on other administrative matters, including the indicative scale of contributions for 2000-2001 and an update on the implementation of auditors' recommendations. It also contains the draft omnibus decision requested by the SBI at its tenth session reflecting conclusions agreed at that session (FCCC/SBI/1999/8, para. 70). In addition, the SBI will have before it document FCCC/SBI/1999/10/Add.1 on performance at the subprogramme level (including results and outputs achieved).

58. Information on the latest status (as at 30 September 1999) of contributions by Parties to the core budget, the Trust Fund for Participation in the UNFCCC Process and the Trust Fund for Supplementary Activities is contained in document FCCC/SBI/1999/INF.9.

59. The financial procedures of the Convention also stipulate that an "interim statement of accounts for the first year of the financial period shall be provided to the Conference of the Parties during the second year of the period..." (decision 15/CP.1, annex, para. 19). In response to this requirement an interim financial statement as of 31 December 1998 is provided in document FCCC/SBI/1999/INF.11.

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[11] The draft decision also contains a contingency item for conference services, should the United Nations General Assembly at its fifty-fourth session decide not to include the meetings of the Convention bodies in its regular budget. It is not likely that this decision will be taken prior to the close of COP 5.

60. **Action:** The SBI may wish to consider the draft omnibus decision on administrative and financial matters, including the new indicative scale of contributions for 2000-2001, and finalize it for recommendation to the COP for adoption.

(c) Arrangements for administrative support to the Convention

61. **Background:** At its tenth session, the SBI took note of the information provided by the Executive Secretary on the administrative arrangements for the Convention, and requested that the SBI be kept informed of new developments (FCCC/SBI/1999/8, para. 70 (f)). This information is contained in document FCCC/SBI/1999/10.

(d) Institutional linkage of the Convention secretariat to the United Nations

62. **Background:** By its decision 15/CP.2, the COP approved the Agreement between the United Nations, the Government of the Federal Republic of Germany, and the secretariat of the United Nations Framework Convention on Climate Change concerning the headquarters of the Convention secretariat. Article 4 of that Agreement states that the Convention secretariat shall possess in the host country legal capacities to contract, acquire and dispose of movable and immovable property, and to institute legal proceedings. By the same decision, the Conference concluded that the COP should consider, in the context of reviewing the functioning of the institutional linkage of the Convention secretariat to the United Nations, whether the functions that have to be carried out by the secretariat necessitate that it be given juridical personality on the international plane. In consequence, the Executive Secretary informed Parties that the issue of the juridical personality of the Convention secretariat on the international plane will be brought before COP 5.

63. At its tenth session, the SBI, after taking into account document FCCC/SBI/1999/7, reviewed the institutional linkage of the Convention secretariat to the United Nations and recommended a draft decision to the COP for adoption at its fifth session to the effect that the institutional linkage should continue (FCCC/SBI/1999/8, annex I).

64. **Action:** The SBI may wish to consider whether any further action is necessary concerning the juridical personality of the Convention secretariat on the international plane and report these conclusions to COP 5.

(e) Implementation of the headquarters agreement:

(f) **Background:** The Agreement between the United Nations, the Government of the Federal Republic of Germany and the secretariat of the United Nations Framework Convention on Climate Change concerning the headquarters of the Convention secretariat, signed on 20 June 1996 and approved by the COP by its decision 15/CP.2, is now in its fourth year of implementation.

(g) **Action:** The Executive Secretary and a representative of the Government of the Federal Republic of Germany will brief Parties on the implementation of the Agreement and prospects for the future work of the UNFCCC secretariat and the Convention bodies in Bonn. Parties will have the opportunity to express their views on the implementation of the agreement and reach any conclusions which may be appropriate.

13. Report on the session

(h) Because of the time that is likely to be needed for considering all items on the agenda, a complete draft text of the report may not be available at the end of the session. The SBI may wish to adopt draft decisions or substantive conclusions, and authorize the Rapporteur to complete the report after the session with the guidance of the Chairman and the assistance of the secretariat. Subject to the availability of sufficient time for their translation, conclusions will be made available in all languages.

II. LIST OF DOCUMENTS

Documents prepared for the session

FCCC/CP/1999/1	Provisional agendas for the Conference of the Parties and its subsidiary bodies. Note by the Executive Secretary
FCCC/CP/1999/3	Review of the implementation commitments and of other provisions of the convention. Financial Mechanism. Report of the Global Environment Facility to the Conference of the Parties at its fifth session
FCCC/CP/1999/INF.1	Programme budget for the biennium 2000-2001. Detailed subprogramme activities and resource requirements
FCCC/SBI/1999/8	Report of the Subsidiary Body for Implementation on its tenth session, Bonn, 31 May-11 June 1999
FCCC/SBI/1999/9	Annotations to the provisional agenda. Note by the Executive Secretary
FCCC/SBI/1999/10	Administrative and financial matters. Note by the Executive Secretary
FCCC/SBI/1999/10/Add.1	Administrative and financial matters. Detailed report on financial performance, 1998-1999. Note by the Executive Secretary
FCCC/SBI/1999/11	National communications from Parties not included in Annex I to the Convention. Matters related to the consideration of non-Annex I communications. First compilation and synthesis of initial communications from Parties not included in Annex I to the Convention
FCCC/SBI/1999/12	National communications from Parties included in Annex I to the Convention. GHG inventory data, 1990-1997. Report on national greenhouse gas inventory data from Annex I Parties for 1990-1997

FCCC/SBI/1999/13	National communications from Parties included in Annex I to the Convention. Draft guidelines for the technical review of Annex I Parties' greenhouse gas inventories
FCCC/SBI/1999/INF.4/Add.1	National communications from Parties not included in Annex I to the Convention. Provision of financial and technical support. List of projects submitted by Parties not included in Annex I to the Convention in accordance with Article 12.4 of the Convention
FCCC/SBI/1999/INF.6	National communications from Parties not included in Annex I to the Convention. Report of the workshop on emission factors and activity data, 4-6 August 1999, Accra, Ghana
FCCC/SBI/1999/INF.7	National communications from Parties not included in Annex I to the Convention. Provision of financial and technical support. Report on activities to facilitate the provision of financial and technical support and information on communications from Parties not included in Annex I to the Convention
FCCC/SBI/1999/INF.8	National communications from Parties not included in Annex I to the Convention. Provision of financial and technical support. Information on relevant action by the Global Environment Facility
FCCC/SBI/1999/INF.9	Administrative and financial matters. Status of contributions
FCCC/SBI/1999/INF.10	National communications from Parties not included in Annex I to the Convention. Provision of financial and technical support. Report on input from Parties to the review by the Global Environment Facility of enabling activities
FCCC/SBI/1999/INF.11	Administrative and financial matters. Interim financial statement. Note by the Executive Secretary

FCCC/SBI/1999/INF.12	National communications from Parties included in Annex I to the Convention. Progress report on the in-depth reviews of second national communications
FCCC/SBI/1999/MISC.3	National communications from Parties not included in Annex I to the Convention. Position papers on draft decisions for COP 5 submitted by the Group of 77 and China and the European Community and its member States
FCCC/SBI/1999/MISC.4	National communications from Parties not included in Annex I to the Convention. Views of Parties on provision of financial and technical support, on matters related to the consideration of non-Annex I Party communications and timing of second national communications
FCCC/SBI/1999/MISC.5	Financial mechanism. Input from Parties to the review by the Global Environment Facility of enabling activities. Submissions from Parties
FCCC/SBI/1999/MISC.6	National communications from Parties included in Annex I to the Convention. Greenhouse gas inventory data. Views of Parties on difficulties with submitting greenhouse gas inventories in a timely manner
FCCC/SBI/1999/MISC.7	National communications from Parties included in the Annex I to the Convention. Draft guidelines on technical inventory review. Views from Parties
FCCC/SBI/1999/MISC.8	National communications from Parties not included in Annex I to the Convention. Framework of elements of the draft decisions for COP 5 submitted by the Group of 77 and China and the European Community and its member states on provision of financial and technical support, on consideration of national communications and on timing of second national communications. Note by the Co-Chairs

FCCC/SB/1999/5 and Add.1	Activities implemented jointly under the pilot phase. Issues to be addressed in the review of the pilot phase, including the third synthesis report on activities implemented jointly
FCCC/SB/1999/6	Mechanisms pursuant to Articles 6, 12 and 17 of the Kyoto Protocol. Plan for facilitating capacity-building
FCCC/SB/1999/7 and Add.1	Procedures and mechanisms relating to compliance under the Kyoto Protocol. Elements of a compliance system and synthesis of submissions. Note by the Co-Chairs
FCCC/SB/1999/8	Mechanisms pursuant to Articles 6, 12 and 17 of the Kyoto Protocol. Synthesis of proposals by Parties on principles, modalities, rules and guidelines. Note by the Chairmen
FCCC/SB/1999/9	Report on the workshop on implementation of Article 4.8 and 4.9 of the Convention (decision 3/CP.3 and Articles 2.3 and 3.14 of the Kyoto Protocol)
FCCC/SB/1999/MISC.8	Mechanisms pursuant to Articles 6, 12 and 17 of the Kyoto Protocol. National communications from Parties not included in Annex I to the Convention. Submission by a Party
FCCC/SB/1999/MISC.9	Capacity-building. Submission by a Party
FCCC/SB/1999/MISC.10 and Add.1	Mechanisms pursuant to Articles 6, 12 and 17 of the Kyoto Protocol. Further submissions of Parties on issues raised in decision 7/CP.4, paragraph 1 (a), (b) and (c)
FCCC/SB/1999/MISC.11	Mechanisms pursuant to Articles 6, 12 and 17 of the Kyoto Protocol. Elements to be included in a plan for facilitating capacity-building related to the mechanisms. Views from Parties
FCCC/SB/1999/MISC.12	Procedures and mechanisms relating to compliance under the Kyoto protocol. Views from Parties

FCCC/SBSTA/1999/INF.8	Capacity-building. Plan for facilitating capacity-building under decision 7/CP.4
FCCC/TP/1999/3	Technical paper: Comparative analysis of emission factors and activity data used in the estimation of GHG emissions in the land-use change and forestry and energy sectors by some developing countries.

Other documents for the session

FCCC/SBI/1999/2	Arrangements for intergovernmental meetings. Note by the Executive Secretary
FCCC/SBI/1999/4	Proposed programme budget of the Convention for the biennium 2000-2001. Note by the Executive Secretary
FCCC/SBI/1999/4/Add.1	Proposed programme budget of the Convention for the biennium 2000-2001. Detailed subprogramme activities. Note by the Executive Secretary
FCCC/SBI/1999/5	Annual inventories of national greenhouse gas data for 1996. Report on national greenhouse gas emissions inventory submissions from Annex I Parties for 1990 to 1996.
FCCC/SBI/1999/7	Administrative and financial matters. Institutional linkage of the Convention secretariat to the United Nations. Note by the Executive Secretary
FCCC/SBI/1999/INF.4	List of projects submitted by Parties not included in Annex I to the Convention in accordance with Article 12.4 of the convention
FCCC/SBI/1999/MISC.1	National communications from Parties not included in Annex I to the Convention. Consideration and timing of second national communications from Parties not included in Annex I of the Convention. Views from Parties

FCCC/SBSTA/1999/3	National communications from Parties included in Annex I to the Convention. Review process related to greenhouse gas inventories. Elements for review process
FCCC/IDR.2/country code	National communications from Parties included in Annex I to the Convention. In-depth review reports on second national communications from Annex I Parties

Documents available for reference only

FCCC/CP/1995/7/Add.1	Report of the Conference of the Parties on its first session, held at Berlin from 28 March to 7 April 1995. Part two: Action taken by the Conference of the Parties at its first session
FCCC/CP/1996/2	Organizational matters. Adoption of the rules of procedure.
FCCC/CP/1996/15/Add.1	Report of the Conference of the Parties on its second session, held at Geneva from 8 to 19 July 1996. Part two: Action taken by the Conference of the Parties at its second session
FCCC/CP/1997/7/Add.1	Report of the Conference of the Parties on its third session, held at Kyoto from 1 to 11 December 1997. Part two: Action taken by the Conference of the Parties at its third session
FCCC/CP/1998/16/Add.1	Report of the Conference of the Parties on its fourth session, held at Buenos Aires from 2 to 14 November 1998. Part two: Action taken by the Conference of the Parties at its fourth session
FCCC/SBSTA/1999/6	Report of the Subsidiary Body for Scientific and Technological Advice on its tenth session, Bonn, 31 May-11 June 1999

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